

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**TERTIARY STRUCTURE OF PEANUT ALLERGEN ARA H 1**

The specification of which

☒ is attached hereto.

☐ Application Serial No. \_\_\_\_\_ filed \_\_\_\_\_  
amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56 (a).

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application to which priority is claimed:

PRIOR FOREIGN APPLICATION(S)

			Priority Claimed	
			<input type="checkbox"/>	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year filed)	Yes	No

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in those/those prior applications in the manner provided by the first paragraph of Title 35, United States

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I hereby certify that this paper and fee is being deposited with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231

Code, Section 112, I acknowledge the duty to disclose information that is material to the examination of this application, namely, information where there is substantial likelihood that a reasonable Examiner would consider it important in deciding whether to allow the application to issue as a patent, which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application, as defined in Title 37, Code of Federal Regulations, Section 1.56 (a):

60/077,763	3/12/98	Pending
(Appl. Serial No.)	(Filing Date)	(Status - Patented, Pending, Abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As named inventor, I hereby appoint the following attorney(s) and/or agent(s):

Robert R. Keegan, Registration No. 18,614  
Daniel R. Alexander, Registration No. 32,604  
Trent C. Keisling, Registration No. 36,565

of Head, Johnson & Kachigian, E.J. Ball Plaza, Suite 230, 112 West Center Street, Fayetteville, Arkansas AR 72701, Telephone Number (501) 582-9111, members of the Bar of the State of Arkansas, and

Paul H. Johnson, Registration No. 19,224  
Mark K. Kachigian, Registration No. 32,840  
Brent A. Capehart, Registration No. 39,620

of Head, Johnson & Kachigian, 228 West 17th Place, Tulsa, Oklahoma OK 74119, Telephone Number (918) 587-2000, members of the Bar of the State of Oklahoma, and

Martin A. Weeks, Registration No. 37,753  
James T. Robinson, Registration No. 33,548

of Head, Johnson & Kachigian, 204 North Robinson, Suite 3030, Oklahoma City, Oklahoma OK 73102, Telephone Number (405) 236-4000, members of the Bar of the State of Oklahoma, to prosecute this application to issue, to transact all business in the Patent and Trademark Office in connection therewith, and to receive the Letters Patent Document, if issued.

SEND CORRESPONDENCE TO:

Daniel R. Alexander  
HEAD, JOHNSON & KACHIGIAN  
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112 West Center Street  
Fayetteville, AR 72701

DIRECT TELEPHONE CALLS TO:

Daniel R. Alexander  
(501) 582-9111

Name of Inventor: **A. Wesley Burks, Jr., M.D.**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence: Little Rock, Arkansas  
Citizenship: United States of America  
Post Office Address: 2400 North Pierce  
Little Rock, AR 72207

Name of Inventor: **Ricki M. Helm, Ph.D.**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence: Little Rock, Arkansas  
Citizenship: United States of America  
Post Office Address: 3207 Echo Valley Drive  
Little Rock, AR 72207

Name of Inventor: **Gael Cockrell**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence: Cabot, Arkansas  
Citizenship: United States of America  
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Name of Inventor: **Gary A. Bannon, Ph.D.**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence: Little Rock, Arkansas  
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Post Office Address: 714 St. Michael Pl.  
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Name of Inventor: **J. Steven Stanley, Ph.D.**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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Name of Inventor: **David Shin**

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

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Name of Inventor: **Hugh Sampson, M.D.**

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Residence: Largemont, New York  
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Name of Inventor: **Cesar M. Compadre**

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Residence: Little Rock, Arkansas  
Citizenship: United States of America  
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Little Rock, AR 72205

Name of Inventor: **Shau K. Huang**

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Residence: Powson, Maryland  
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Name of Inventor: **Soheila J. Maleki**

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Residence: Little Rock, Arkansas  
Citizenship: United States of America  
Post Office Address: 612 Parkway Place  
Little Rock, AR 72211

Name of Inventor: **Randall A. Kopper**

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Residence: Conway, Arkansas  
Citizenship: United States of America  
Post Office Address: 2 Brier Springs  
Conway, AR 72032

Applicant: Burks et al.

Serial No:

Filing Date:

Title: TERTIARY STRUCTURE OF PEANUT ALLERGEN ARA H 1

Atty. Dkt. No.

ARK00898103A

VERIFIED STATEMENT (DECLARATION)

CLAIMING SMALL ENTITY STATUS

[37 CFR SECTION 1.9 (f) and SECTION 1.27 (b)]

INDEPENDENT INVENTOR(S)

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9 (c) for purposes of paying reduced fees under Section 41 (a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled:

TERTIARY STRUCTURE OF PEANUT ALLERGEN ARA H 1

described in:

- [X] the specification filed herewith.  
[ ] Application Serial No. \_\_\_\_\_ filed \_\_\_\_\_.  
[ ] Patent No. \_\_\_\_\_ issued \_\_\_\_\_.

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9 (c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9 (d) or a nonprofit organization under 37 CFR 1.9 (e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey or license any rights in the invention is listed below:

- [ ] no such person, concern, or organization  
[x] persons, concerns or organizations listed below\*

\* NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. [37 CFR 1.27].

FULL NAME: University of Arkansas

ADDRESS: 2404 N. University Ave.

Little Rock, AR 72207-3608

[ ] INDIVIDUAL

[ ] SMALL BUSINESS CONCERN

[X] NONPROFIT ORGANIZATION

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Date of Deposit: 3-11-99

I hereby certify that this paper and fee is being deposited with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20531

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. [37 CFR 1.28(b)].

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAMES OF INVENTORS

A. Wesley Burks, Jr., M.D.

Date

Ricki M. Helm, Ph.D.

Date

Gael Cockrell

Date

Gary A. Bannon, Ph.D.

Date

J. Steven Stanley, Ph.D.

Date

David S. Shin

Date

Hugh Sampson

Date

Cesar M. Compadre

Date

Shau K. Huang

Date

Soheila J. Maleki

Date

Randall A. Kopper

Date

Atty. Dkt. No.  
ARK00896103A

Applicant : Burks et al.  
Serial No. :  
Filing Date:  
Title : TERTIARY STRUCTURE OF PEANUT ALLERGEN ARA H 1

USA PATENT AND TRADEMARK OFFICE  
VERIFIED DECLARATION CLAIMING SMALL ENTITY STATUS  
37 CFR 1.9(f) and 1.27(d) - NONPROFIT ORGANIZATION

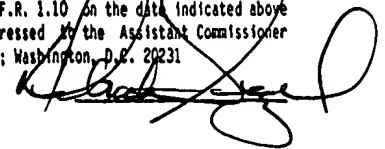
I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION University of Arkansas  
ADDRESS OF ORGANIZATION 2424 N. University Ave.  
Little Rock, AR 72207-3608

TYPE OF ORGANIZATION:

- ☒ University or other institution of higher education
- ☐ Tax exempt under Internal Revenue Service Code (26 USC 501(a) and 501(c)(3))
- ☐ Nonprofit scientific or educational under statute of state of the United States of America  
State: \_\_\_\_\_  
Citation of statute: \_\_\_\_\_
- ☐ Would qualify as tax exempt under Internal Revenue Service Code (26 UCS 501(a) and 501(c)(3)) if located in the United States of America
- ☐ Would qualify as nonprofit scientific or educational under statute of state of the United States of America if located in the United States of America  
State: \_\_\_\_\_  
Citation of statute: \_\_\_\_\_

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code with regard to the invention entitled TERTIARY STRUCTURE OF PEANUT ALLERGEN ARA H 1 by inventor(s) A. Wesley Burks, Jr., Ricki M. Helm, Ph.D., Gael Cockrell, Gary A. Bannon, Ph.D., J. Steven Stanley, David S. Shin, Hugh Sampson, Cesar M. Compadre, Shau K. Huang, Soheila J. Maleki, and Randall A. Kopper described in



☒ the specification filed herewith.  
☐ application Serial No. \_\_\_\_\_, filed \_\_\_\_\_.  
☐ Patent No. \_\_\_\_\_, issued \_\_\_\_\_.

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above-identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27).

Name A. Wesley Burks, Jr., M.D.  
 Address 2400 North Pierce, Little Rock, AR 72207  
☒ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

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Name Randall A. KopperAddress 2 Brier Springs, Conway, AR 72032

[X] INDIVIDUAL [ ] SMALL BUSINESS CONCERN [ ] NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: Harold J. EvansTITLE OF PERSON IN ORGANIZATION: Associate Vice President  
for Legal AffairsADDRESS OF PERSON SIGNING: 2404 N. University Ave.Little Rock, AR 72207-3608SIGNATURE: DATE: March 10, 1999